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6 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

7 -oOo-

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 vs.

11 JUAN ANTONIO ORDONEZ-FUNES,

12 Defendant.

CASE NO.: 2:18-mj-00688-GWF

STIPULATION TO CONTINUE
PRELIMINARY HEARING
(First Request)

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14 IT IS HEREBY STIPULATED AND AGREED, by and between Dayle Elieson, United
15 States Attorney, and Robert Krief, Assistant United States Attorney, counsel for the United States of
16 America, and Kathryn Newman, counsel for Juan Antonio Ordóñez-Funes, that the preliminary
17 hearing, currently set for August 13, 2018, at the hour of 4:00 p.m., be vacated and continued for ten
18 days, or to a date to be set at the Court's convenience.

19 This stipulation is entered into for the following reasons:

- 20 1. Government counsel out of town and needs time to prepare
21 2. The Defendant is detained and does not object to the continuance.
22 3. For the reasons stated above, the ends of justice would best be served by a
continuance of the preliminary hearing.

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4. Denial of this request for continuance could result in a miscarriage of justice.

5. The additional time requested by this Stipulation is excludable in computing the time from the filing of the criminal complaint through which the government must assert an criminal Information or seek an Indictment by the Grand Jury pursuant to the Speedy Trial Act, Title 18, United States Code Section 3161(h)(7)(A), when considering the factors under Title 18, United States Code, Sections 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

6. This is the first request for a continuance.

DATED this 3rd day of August, 2018.

Respectfully submitted,

DAYLE ELIESON
United States Attorney

/s/ Kathryn Newman
KATHRYN NEWMAN, AFD
Counsel for Defendant Ordonez-Funes

/s/ Robert Knief
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Assistant United States Attorney

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

-oOo-

UNITED STATES OF AMERICA,)
Plaintiff,) CASE NO.: 2:18-mj-00688-GWF
vs.) STIPULATION TO CONTINUE
JUAN ANTONIO ORDONEZ-FUNES,) PRELIMINARY HEARING
Defendant.) (First Request)
)
)

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Government counsel out of town and needs time to prepare
 2. The Defendant is detained and does not object to the continuance.
 3. For the reasons stated above, the ends of justice would best be served by a continuance of the preliminary hearing.
 4. Denial of this request for continuance could result in a miscarriage of justice.
 5. The additional time requested by this Stipulation is excludable in computing the time from the filing of the criminal complaint through which the government must assert an criminal

Information or seek an Indictment by the Grand Jury pursuant to the Speedy Trial Act, Title 18, United States Code Section 3161(h)(7)(A), when considering the factors under Title 18, United States Code, Sections 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

6. This is the first request for a continuance.

For all of the above-stated reasons, the end of justice would best be served by a continuance of the preliminary hearing.

ORDER

IT IS ORDERED that the preliminary hearing currently scheduled for August 13, 2018, at 4:00 p.m. be vacated and continued to August 23, 2018, at the hour of 4:00 p.m.

DATED this 7th day of August, 2018.

George Foley Jr.
UNITED STATES MAGISTRATE JUDGE